DEVON CORLESPONDENCE

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KELLAHIN & KELLAHIN Attorney at Law

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July 28, 2003

VIA FACSIMILE

RECEIVED

JUL 28 2003

Oil Conservation Division

Carol Leach, Esq. David K. Brooks, Esq. David R. Catanach, Hearing Examiner Oil Conservation Division 1220 South St. Francis Drive Santa Fe New Mexico 87505

- Re: NMOCD Case 12085 Application of EGL Resources, Inc. for pool expansion or in the alternative pool creation, Lea County, New Mexico
- Re: NMOCC Cases 13048 and 13049 (de novo) Order R-11962
 - (1) Case 13048: Application of Devon Energy Production Company,
 - L.P. for compulsory pooling, Lea County, New Mexico

(2) Case 1304: Application of EGL Resources, Inc. for compulsory pooling, Lea County, New Mexico

Dear Ms. Leach, Mr. Brooks and Mr. Catanach:

I have received a copy of a letter sent by Mr. Scott Hall, dated July 25, 2003, (via facsimile transmitted 6:59 pm, July 25, 2003) requesting that the Division decide certain pending motion by July 29, 2003. It appears to me that Mr. Hall has confused motions filed with the Division with some filed with the Commission and has neglected to reference Case 13085. My records show the following:

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Ms. Leach, Mr. Brooks, Mr. Catanach July 28, 2003 Page 2

(1) May 27, 2003:

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Devon's motion, filed with the Division, requested a stay of Division Order R-11962, entered May 13, 2003, in Cases 13048 and 13049 pending a Commission de novo hearing in order to maintain the status quo.

(2) May 29, 2003:

EGL/Landreth response to Devon's motion to stay order.

(3) June 26, 2003

In Case 13085, EGL/Landreth filed its motion to Stay Devon's drilling operations in Section 33.

- (4) Division denied Devon's May 27, 2003 motion to stay the pooling cases maintain status quo pending the De Novo hearing by Commission
- (5) July 2, 2003:

EGL/Landreth's motion to the Commission to continue the De Novo hearing set for July 17, 2003.

(6) July 2, 2003:

The Commission, without notice to Devon, grants continuance of De Novo cases to an unspecified date.

(7) July 2, 2003:

In Case 13085, Devon filed its response to EGL/Landreth's motion to stay Devon's operations in Section 33.

(8) July 2, 2003:

In the DeNovo cases, Devon filed its motion to reopen Cases 13048 and 13049 to include Devon's plan of operation for the Rio Blanco 4-1 well.

(9) July 7, 2003:

Division, asserting lack of jurisdiction, dismissed Devon's motion to reopen Cases 13048 and 13049.

(10) July 9, 2003:

Devon, in accordance with the Division order, filed its motion to reopen cases 13048 and 13049 with the Commission.

(11) July 11, 2003:

EGL/Landreth filed its response to Devon's motion to reopen Cases 13048 and 13049.

(12) July 11, 2003:

In Case 13085, EGL/Landreth filed its amended motion to stay Devon's operations both in Section 33 and now Section 9.

(13) July 14, 2003

In Case 13085, EGL/Landreth filed its reply to Devon's response to EGL/Landreth's motion to stay Devon's operations.

(14) July 15, 2003:

In Cases 13048 and 13049, EGL/Landreth filed its response to Devon's motion to the Commission to reopen these cases and remand them to the Division for further hearing.

(15) July 17, 2003

In Case 13085, Devon filed its response to EGL/Landreth's amended motion to Stay Devon's operations.

(16) July 17, 2003:

In Cases 13048 and 13049, Devon filed its motion to remand these cases back of the Division for consolidation with Case 13085 to consider technical evidence.

(17) July 24, 2003:

In Cases 13048 and 13049, EGL/Landreth filed its response to Devon's motion to remand for consider technical evidence

Ms. Leach, Mr. Brooks, Mr. Catanach July 28, 2003 Page 4

Devon requests that the Commission and the Division entered orders deciding these motions. At this point, at the request of EGL/Landreth, the two pooling cases have been continued to an unspecified Commission hearing date, and the pool expansion case is currently set for hearing before the Division on August 21, 2003.

As a result of continuances granted to EGL/Landreth, Devon wishes to inform the agencies that one of its key witnesses is now not available for testifying on either August 14 or 21, 2003.

Very truly yours, Thomas Kellahin

CC:

J. Scott Hall, Esq. Attorney for EGL/ Landreth

Devon Energy Production Company, L.P. Attn: Richard Winchester

KELLAHIN & KELLAHIN Attorney at Law

W. Thomas Kellahin New Mexico Board of Legal Specialization Recognized Specialist in the area of Natural resourcesoll and gas law P.O. Box 2265 Santa Fe, New Mexico 87504 117 North Guadalupe Santa Fe, New Mexico 87501

August 4, 2003

VIA FACSIMILE

David R. Catanach, Hearing Examiner Oil Conservation Division 1220 South St. Francis Drive Santa Fe New Mexico 87

Re: NMOCD Case 120

Application of EGL desources, Inc. for pool expansion or in the alternative meel creation, Lea County, New Mexico

Dear Mr. Catanach:

In behalf of Devon theory Production Company, L.P. ("Devon"), I request that the referenced case, currently set for hearing on the August 21, 2003 Examiner's docket, be communed to a special hearing to commence on either August 26, 27 and 28, 2007

I estimate that the **Sum**ing of this case will take at least one full day and maybe 1-1/2 or 2 days.

vours.

homas Kellahin

J. Scott Hall, Esq. Attorney for EGL/ Landreth Devon Energy Production Company, L.P. Attn: Richard Wincheser Telephone 505-982-4285 Facsimile 505-982-2047 kellahin@earthlink.com 5059822047

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Telephone 505-982-4285 Facsimile 505-982-2047 TKELLAHIN@AOL. · COM

To Name: David Catanach Agency: Oil Conservation Division Fax: 476-440

Urgent For Review
Please Comment
Please Review

FAX TRANSMITTAL FORM

From

W. Thomas Kellahin

Telephone 505-982-4285 Facsimile 505-982-2047 TKELLAHIN@AOL.COM

Date sent: 9-08-03 Time sent: 10:15 am Number of pages including cover page:

see attached letter dated September 8, 2003 with enclosure

Copy by Fecsimile to:

J. Scott Mail, Esq. 505-989-9857

Devon Exercise Production Company, L.P. Richard Winchester

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NOTICE OF CONFIDENTIALITY THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS CONFIDENTIAL AND IN-TENDED THE USE OF THE INDIVIDUAL OR ENTITY NAMED ABOVE. IF THE READER OF THIS MEED THE INTENDED RECIPIENT, OR THE EMPLOYEE OR AGENT RESPON-SIBLE FORMULIVERING IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT AN DESEMINATION, DISTRIBUTION, COPYING, OR UNAUTHORIZED USE OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS FACSIMILE IN ERROR, THE NOTIFY THE SENDER IMMEDIATELY BY TELEPHONE AND RETURN THE PACSIMILS OF THE SENDER AT THE ABOVE ADDRESS. THANK YOU. THE SENDER AT THE ABOVE ADDRESS. THANK YOU. FACSIMIE

KELLAHIN & KELLAHIN Attorney at Law

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Telephone 505-982-4285 Facsimile 505-982-2047 kellahin@earthlink.com

September 8, 2003

VIA FACSIMILE

Mr. David R. Catanach Hearing Examiner Oil Conservation Division 1220 South St. Francis Drive Santa Fe, New Mexico 87

> Re: NMOCD Case 13105 Application of HGL/Lendreth for Pool creation ar pool expansion, Lea County, Max Mexico

Dear Mr. Catanach:

This morning you call to advise me that Mr. Hall has suggested to you that he wanted you to hear the referenced case on Monday, September 15th. I have checked with Devon and 3 of my witnesses are not available the week of September 15th:

- (1) Steve Hulke (Lieuwn's geologist) is in Illinois attending to his mother who is having sectors heart problems. We have been unable to reach him by phone this meaning to confirm if he will be able to attend an OCD hearing be week of September 15.
- (2) Jim Hager (Depen's geophysicist) is required to be in Wyoming on Devon business deptember 15-18th.
- (3) Richard Winchart will be unavailable the week of September 15th because on Friday. September 12, his wife's pregnancy will be induced for delivery.

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Oil Conservation Division September 8, 2003 -Page 2-

> In addition, EGEA and reth have obtained repeated continuances of this hearing arguing that they cannot precede to hearing until the Rio Blanco 4-2 well is been completed and tested. Devon concurs. As of this morning, EGL is having trouble with a leaking liner and is appears very doubtful that the well have be completed and meaningfully tested by the end of nest week. See EGL drilling report attached as Devon Exhibit "A". There is no point in the Division having a hearing prior to EGL providing sufficient technical data from the Rio Blanco 4-1 well.

Very truly your iomas Kellahin

cc

J. Scott Hall, Esq. Attorney for EGL/Landreth

09/08/2003 09:54 5059822047

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SENT BY: E.G.L. RESOURCES, INC.; .

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Tony Durse

W. Thomas Kellahin

oil and gas law

New Mexico Board of Legal

Specialization Recognized Specialist

in the area of Natural resources-

LAHIN & KELLAHIN Attorney at Law

P.O. Box 2265 Santa Fe, New Mexico 87504 117 North Guadalupe Santa Fe, New Mexico 87501

September 9, 2003

VIA FACSIMILE

Mr. David R. Catanach Hearing Examiner Oil Conservation Division 1220 South Saint Francis Drive Santa Fe, New Mexico 87505

Re: Confirmation of hearing dute NMOCD Case 13085 Application of the ECH Conduct for Pool Creation or Pool Creation, Lea County New Mexico

Dear Mr. Catanach:

CC:

On behalf of Devon **Example** Corporation, we will be available if the Division scheduled this case for a special bearing of tober 2, 2003 commencing at 8:15 am.

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David R. Catanach, NMOCD Hearing Sxaminer Gail MacQuesten, Esq. Attorney for the Strision J. Scott Hall, Esq. Attorney for Eco. Landreth Devon Energy Corporation Attn: Richard Warehester Telephone 505-982-4285 Facsimile 505-982-2047 kellahin@earthlink.com

Division scheduled